

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MDL No. 3076  
CASE NO. 1:23-md-03076-KMM**

**IN RE:**

**FTX Cryptocurrency Exchange Collapse Litigation**

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**THIS DOCUMENT RELATES TO:**

Bank Defendants

*O'Keefe v. Sequoia Capital Operations, LLC, et al.*, S.D. Fla.  
Case No. 1:23-cv-20700

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**DEFENDANTS' RESPONSE TO PLAINTIFFS' MOTION FOR LEAVE TO FILE  
AMENDED COMPLAINT**

Defendants Deltec Bank and Trust Company Limited (“Deltec”) and Jean Chalopin (together, “Defendants”), by and through their undersigned attorneys, pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, hereby submit this Response to Plaintiffs’ Motion for Leave to File an Amended Administrative Class Action Complaint (ECF No. 492) (“Motion for Leave”) against Defendants.

While Defendants deny many of the assertions made in Plaintiffs’ Motion for Leave and deny the material allegations set forth in the Amended Administrative Class Action Complaint (“Amended Complaint”) attached to the Motion for Leave, Defendants do not oppose the filing of the Amended Complaint at this time, subject to their reservation of any and all rights and defenses, including their right to seek full dismissal with prejudice of, or otherwise respond to, the Amended Complaint.

Defendants are currently negotiating with Plaintiffs on a briefing schedule for Defendants' anticipated motion to dismiss the Amended Complaint. Defendants expect to file a motion seeking the Court's approval of the schedule next week.

Dated: March 1, 2024

Respectfully submitted,

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#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on March 1, 2024, the undersigned electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a Notice of Electronic Filing to all counsel of record.

s/ Joseph B. Isenberg  
Attorney